

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN

Jeremy Lockett,  
Plaintiff

V.

Case No. 17-cv-\_\_\_\_\_

N/P Bonson, J. Labelle (Nursing Coordinator),  
Nurse Edge, Jane Doe,  
Defendant's.

COMPLAINT.

Comes Now, plaintiff, Jeremy Lockett, "Lockett", proceeding herein pro-se, pursuant to title 42 U.S.C. & 1983 with his complaint against the above named Defendant's with Federal Claims raised.

PARTIES.

1. Plaintiff, Jeremy Lockett, is a United States Citizen and Adult resident of the state of Wisconsin and at all times relevant to this action was confined as a prisoner at the Wisconsin Secure Program Facility, located at: P.O. Box 9900, Wausau, Wis. 53805.

2. Defendant's, N/P Bonson, J. Labelle, Edge, Jane Doe, are United States Citizen's and residents of the state of Wisconsin and employed by the Dept of Corr. located at (USPF), P.O. Box 9900, Wausau, Wis. 53805 and P.O. Box 7925, Madison, Wis. 53707.

STATEMENT OF CLAIM.

3. The plaintiff has been diagnosed with Sickle Cell at a early age in life.

4. On 10-4-16, Lockett wrote a HSR saying; I am constantly having pain in my left thigh leg and this pain medication is not working. The doctor at Gunderson prescribed me with pain medicine why am I not getting it? Edge wrote back You are receiving pain medication .See, Ex.1

5. On 11-11-16, Lockett wrote a HSR saying, On 11-11-16 at 11:00am I had Sgt. Furrer call HSU for my pain medication and nurse Edge told him that I couldn't get any pain medication until 3:30pm and now I'm in more pain. I would like to know why I'm being denied my pain medicine when it's as needed? Nurse Edge wrote call was not received until 11:45, after med. pass time. See, Ex.2

6. On 12-2-16, Lockett wrote HSR saying, If you don't answer this I will consider it a denial and trying to avoid the situation on 12-1-16, I was denied any pain medication at 8:00pm med. pass because they ran out and I was in pain and the HSU staff refused to call the on call doctor so I just was left in pain no kind of help and just denied pain medication all together. This keeps happening so I am asking you to do something about this because this is a clear violation of my 8th Amendment rights and it seems that your staff don't care, I would like you to talk to your staff about this Anderson really called the doctor on 3rd shift and got me medication. Teldman wrote back, She won't be back until Tuesday try to write in again. I'm not sure about your medication Mr. Lockett I know when I've seen here the staff have always brought it to you regular. See, Ex.3

7. On 12-4-16, Lockett wrote a HSR saying, I am writing to you because I would like to speak with you. I was given Hydrocodone because N/P Bonson stated here self that nothing else worked for pain and she knows, but now I am on Tramadol 50(mg)2tab, which is not working and I have not seen anyone to examine me to determine that I should be taken off Hydrocodone. Alert I am in pain and the medication is not

working(Tremadol).Boneon wrote back,Your Hydrocodone will be re-ordered.An on-call MD ordered the tremadol and tylenol#3.I re-ordered it and it was filled 12-2-16 It should be coming very soon. See,Ex.4

8.On 12-13-16, ~~Miss~~ Lockett wrote a HSR saying I am writing to ask if you are going refill my Hydrocodone?,I am asking because I am getting low and I don't want to run out and be in pain waiting to get a refill knowing that it is going to be a holiday and everything might be begged up.Boneon wrote back It will be done I don't want you to run out either!See,Ex.5

10.N/P Boneon refused in October of ~~2016~~ 2016 Prescribed Lockett Oxycodone saying that Tylenol #3 work the same and will have the same effect on the plaintiff yet he was still in pain.

11.Then in December of 2016,N/P Boneon explained to Lockett that he should on Oxycodone because she knew that the Tylenol #3 was not working and prescribed him Oxycodone.

12.Boneon knew that the medication that Lockett was on which was Tylenol #3 was not working and it wasn't the correct medication for his condition.

13.Upon Information and belief Lockett should have been prescribed Oxycodone sooner,because it caused him to suffer daily.

14.~~Miss~~ Upon Information and belief when the staff on the unit calls medications pass they just click on and off your speaker saying only I got you.

15.Upon Information and belief the practice is that when you have a controlled medication that is as needed by the Nurse they come to your room and ask if you would like your medication without you telling the staff,in fact that is what they as of right now.

16.Lockett is on controlled medication right now and everytime the nurse comes to his cell and ask if he would like his medication.

17.In the WSPF General Population Inmate Handbook dated 5-1-16,Signed By;Gary Boughton,no where in the handbook does it explain what a inmate is to do when he want's his controlled medication by the nurse.

18.Jane Doe that denied Lockett his pain medication on 12-1-16,had no reason to deny Lockett his medication and caused him pain and he was left in pain because of this.

19.Nurse Edge denied Lockett his pain medication because she didn't do her job and left Lockett in pain until 3th shift.

20.Plaintiff has filed the necessary Inmate Complaints in this case.

21.J.Laballa was the nursing coordinator answering the Inmate Complaints and had the authority to do something yet she choose to turn a blind eye to the situation and sometimes told Lockett that he should order his own medication a little earlier.

22.Control meds are ordered by the nurse when the order is getting low not the inmate.

#### FIRST CONSTITUTIONAL CLAIM.

Incorporating paragraphs 4 thru 22 of the statement of claim in the complaint,plaintiff alleges Defendant's all showed a Deliberate Indifference to his serious medical needs when they failed to provide him with adequate medical treatment in a timely manner.See,Farmer V. Brennan,511 U.S. 825, 837,844,114 S. Ct. 1970.

SECOND CONSTITUTIONAL CLAIM.

Incorporating paragraphs 4 thru 22 of the statement of claim in the complaints, plaintiff alleges Defendant's refused to provide him with the correct medication for (3) months. Levander V. Lampert, 242 F.Supp.2d ~~821~~ 821, 848(D.Or.2002).

THIRD CONSTITUTIONAL CLAIM.

Incorporating paragraphs 4 thru 22 of the statement of claim in the complaint, plaintiff alleges Defendant's allowed plaintiff to suffer without any pain medication showed a Deliberate Indifference to his serious medical needs and plaintiff suffered unnecessary and wanton infliction of pain and suffering. See, Ralson V. McGovern, 167 F.3d 1160(7th cir.1999).

REQUESTED ~~RELI~~ RELIEF.

1. Issue a award Compensatory Damages, against each of the Defendant's in the amount of Ten Thousand (\$10,000) Dollars.
2. Issue a award Punitive Damages, against each of the Defendant's both jointly and severally, in Ten Thousand (\$10,000) Dollars.
3. Presumed Damages.
4. Nominal Damages.
5. All claims are brought against the Defendant's in their personal capacities.
6. Plaintiff demands a trial by jury on all matters triable issues.

CONCLUSION.


Wherefore, plaintiff Respectfully pray this Honorable Court Grant the request relief sought herein.

Respectfully Submitted,

I, declare under the penalty of perjury that all statements made herein are true and correct to the best of my personal knowledge.

  
Jeremy Lockett, Plaintiff.

Dated this 16 day of May, 2017.

  
Jeremy Lockett #511912  
(USPF) P.O. Box 9900  
Bacabael, Wis. 53805

Prepared By:  
Dace Garner #441303  
Prisoner to Prisoner  
Legal Aid.

